

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DARRYL ORRIN BAKER,

Plaintiff,

CIVIL ACTION NO. 09-10360

v.

DISTRICT JUDGE NANCY G. EDMUNDS

BANNUM PLACE OF SAGINAW, LLC; MAGISTRATE JUDGE MARK A. RANDON  
LATOYA BURNSIDE, DIRECTOR;  
DOROTHY JONES, EMPLOYEE SPECIALIST;  
CLARINET MCFADDEN; VERTRICE ROBY;  
MR. LYONS; HENRY HOBSON; MS. FRIERSON,

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION FOR MARSHALS TO SERVE  
DEFENDANTS (DKT. NO. 79)**

On March 18, 2011, Judge Nancy G. Edmunds ordered the clerk to provide the Second Amended Complaint for the United States Marshal Service to effectuate service on Defendants Jody Bradley and Mark A. Cuneen. (Dkt. No. 61). Judge Edmunds said, "[t]his is the fourth attempt to serve Defendants Cuneen and Bradley. Waiver of Service have been returned Unexecuted on May 19, 2009, February 25, 2010 and February 4, 2011. Return of Service Unexecuted as to either Defendants Cuneen or Bradley may result in dismissal of that defendant." (Dkt. No. 61 at 2).

This matter is before the Court on Plaintiff's Motion for Marshals to Serve the Defendants. (Dkt. No. 79). Plaintiff provides the Court another address in which he believes

Defendants Bradley and Cunnen are located. However, on June 13, 2011, Judge Edmunds dismissed Defendants Bradley and Cuneen without prejudice. (Dkt. No. 63). Therefore,

**IT IS ORDERED** that Plaintiff's motion (Dkt. No. 79) is **DENIED**.

s/Mark A. Randon

Mark A. Randon

United States Magistrate Judge

Dated: August 8, 2012

Certificate of Service

*I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, August 8, 2012, by electronic and/or ordinary mail.*

s/Melody R. Miles

Case Manager to Magistrate Judge Mark A. Randon